

GMH STEWART TERRACE-MULTI FAMILY SITE PLAN (02-17)

MR. PETRO: Next on tonight's agenda is GMH Stewart Terrace site plan, 264 market rate units which is lot 1 of the GMH subdivision. This application was previously reviewed at the 26 June, 2002, 9 October, 2002, 11 December 2002, 26 February, 2003 planning board meetings. Corrections were completed for the February, 2003 meeting but details regarding the PILOT were not resolved at that time. We're going to get back into that in a second. This application proposes the following changes since the February plan reviewed relocation of the clubhouse and pool to the front of the site to the south end near the main project entrance, relocation of four units multi-story from the west side of the site to the east from where clubhouse was previously relocated and this is important here that the, I believe that the change in this which I say this is coming from Mr. Edsall, planning board engineer, I believe this a change, an improvement, the only recommendations we had to the applicant is that the parking area be provided with a clubhouse to run off first parking area on the left and that no parking be created that must back out into the main road and a hydrant access be confirmed in the area of the clubhouse, they indicated the final plans would include these items and do they?

MR. GABA: Yes.

MR. PETRO: You concur, Eric, do you have any other comments from Mr. Edsall on this site plan again?

MR. DENEGA: No, the only two items were the parking not going directly into the road and the hydrant issue that there be a hydrant relative to that location, if not, that one be added, really his only two significant comments that we discussed.

MR. PETRO: Board completed SEQRA on 26 February, 2003 covering the entire action, that was the subdivision and both sides of the site plan, no further action is required under SEQRA. We should make a note that although we did have a couple changes, we feel as a board that they are very, very minor in nature and do

not affect the overall plan and therefore do not affect the SEQRA process. If all is resolved with the PILOT issue, conditional approval of project could be considered. Planning board should require that a bond estimate be submitted for this site plan, which will also be part of your conditional approval in accordance with Chapter 19 of the Town Code. Obviously, payment of all fees which we're covering extensively. Okay, once again, we're going to go back to the PILOT agreement. This one's a little more complicated than the other side, but the agreement that you had sent I think covered it fairly well. There was a few changes which I read into earlier, I'm not going to read them again, these are the same exact changes as the military housing. I'll tell you what I'm going to do, being that it is important, I think I'll read them in one more time for this application, if you bear with me. Okay, conditional final approval should be subject to the following terms conditions and as set forth in Mr. Loeb's letter. Conditional final approval is hereby granted subject to at the time final plans are signed and delivered to the applicant the following, two appropriately executed PILOT agreements are delivered to the Town and the PILOT agreement for the fair market rental units shall specifically provide that the parkland fee in the amount of \$396,000 should be tendered at the time plans are signed and delivered and a check in the amount of \$396,000 for parkland fees is remitted simultaneously payable to the Town and an opinion of counsel satisfactory to the attorney for the Town is delivered stating that GMH or the executing entity has authority to bind the owner, Department of the Navy, to the two PILOT agreements. And a certificate of application and agreement regarding the purchase of sewer capacity is delivered to the Town. Keep in mind these are conditions, these are in addition to the PILOT agreement, these are not the only conditions.

MR. GABA: Well, yeah, some of them are terms within the PILOT agreement.

MR. PETRO: This is not replacing anything in addition to, do you agree with this?

MR. HANNON: Let me just state when we refer to the 396,000, that's the 264 market rate units?

MR. PETRO: That's correct.

MR. HANNON: But I'm not sure why that was actually attached to the military?

MR. PETRO: It's not as far as actually being implemented for the military, has nothing to do with that, that's the 42,5 and the other agreement that we had made, 75,000 plus some of the sewer district, I believe Water District 9 or 10 whatever that was, you had that correctly indicated on the original PILOT agreement, I just read that in as a condition of the entire project, so I probably should of left that out as far as the military side but it's covered both sides so we're only paying it once.

MR. HANNON: I wanted to clarify that it was not 396 times two.

MR. PETRO: You're only paying it once.

MR. GABA: Thank you.

MR. PETRO: Mr. Gaba, you agree as the attorney for GMH?

MR. GABA: That's correct.

MR. PETRO: Motion for final approval.

MR. LANDER: So moved.

MR. ARGENIO: Second it.

MR. PETRO: Fire approval on 10/16/2002. We have a motion made and seconded that the New Windsor Planning Board grant final approval to the GMH Military Housing LLC subject to the conditions I've read in twice and were agreed to by Mr. Hannon and Mr. Gaba. Any further comments from the board members?

MR. KARNAVEZOS: Yes, I have one, where the clubhouse

used to be and it's moved over down to the bottom here, there's another 4 units there, are these 4 units moved from somewhere else?

MR. GANNON: Yes, they did, if you have a copy of it right there, I can show you.

MR. KARNAVEZOS: I do.

MR. PETRO: Okay, I also have one more comment just to clarify one more time some of the members aren't aware and he's asked me a couple questions, the two percent site plan fee, any other charges that are on the other initial PILOT agreement are still in addition to what we've read in tonight, these aren't superseding anything, these are in addition to, these are conditions of final approval. Everything else on the PILOT agreement stands.

MR. GABA: That's correct.

MR. PETRO: Any further comment from any of the other members?

ROLL CALL

MR. LANDER	AYE
MR. MASON	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE